

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

**PERMIT FOR MUNICIPAL
SOLID WASTE (MSW) MANAGEMENT SITE**
Issued under provisions of Texas
Health & Safety Code
Chapter 361

MSW Permit No.: 2361

Name of Site Operator/Permittee: Micro Dirt, Inc., d.b.a. Texas Organic Recovery
15500 Goforth Road, Creedmoor, Texas, 78610

Operator: Micro Dirt, Inc., d.b.a. Texas Organic Recovery

Property Owner: Ms. Vicki Alexander
7406 Williamson Road, Creedmoor, Texas, 78610-3951

Facility Name: Texas Organic Recovery

Facility Address: 15500 Goforth Road, Creedmoor, Texas, 78610

Classification of Site: MSW Type V Liquid Waste Processing and Composting Facility

The permittee is authorized to store, process, transfer and compost waste and to recycle recovered materials in accordance with the limitations, requirements, and other conditions set forth herein. This permit is granted subject to the rules and Orders of the Commission and laws of the State of Texas. Nothing in this permit exempts the permittee from compliance with other applicable rules and regulations of the Texas Commission on Environmental Quality. This permit will be valid until canceled, amended, or revoked by the Commission.

APPROVED, ISSUED AND EFFECTIVE in accordance with Title 30 Texas Administrative Code (30 TAC) Chapters 330 and 332.

ISSUED DATE:

For the Commission

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Micro Dirt, Inc., d.b.a. Texas Organic Recovery
Texas Organic Recovery
MSW Permit No. 2361

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I. Size and Location of Facility

- A. This MSW Type V Liquid Waste Processing and Composting Facility is located at 15500 Goforth Road, in Creedmoor, Travis County, Texas, 78610. The facility contains approximately 30.0 acres with approximately 15.23 acres used for waste processing and composting.
- B. The legal description is contained in Appendix B of the application.
- C. Coordinates and Elevation of Site Permanent Benchmark:

Latitude: 30° 03' 24" N
Longitude: 97° 41' 27" W
Elevation: 700 feet above mean sea level (msl)

II. Waste Management Units and Operations Authorized

- A. Days and Hours of Operation

The operating hours of this municipal solid waste facility will be between 5:00 a.m. and 9:00 p.m., Monday through Friday, and between 8:00 a.m. and 5:00 p.m., Saturday. The waste acceptance hours of the facility shall be between 7:00 a.m. and 7:00 p.m., Monday through Friday, and between 8:00 a.m. and 5:00 p.m., Saturday. The waste acceptance hours correspond to the hours that the facility is open to the public for the receipt of waste. The operator shall post the actual operating hours on the site sign.

- B. Wastes Authorized at this Facility

This facility is authorized to accept municipal solid waste and compost feedstocks which are limited to municipal sludge, septage, grease trap waste, source separated yard and tree trimmings, wood chips, paper, cardboard, clean wood, positively-sorted organic material, source separated organic material, agricultural waste and materials, dead animals, expired food wastes, dairy materials, manure and vegetative food waste including class 2 industrial food preparation waste and non-hazardous industrial solid waste as detailed in §332.4(10).

- C. Wastes Prohibited at This Facility

Any other waste which is prohibited or not authorized may not be accepted. Wastes not authorized for acceptance include mixed municipal solid waste as defined in §332.2, grit trap waste, other special wastes as defined in 30 TAC §330.3, painted or treated wood, and portable chemical toilet waste.

D. Waste Acceptance Rate

Liquid waste may be accepted for processing and composting at this facility at a daily maximum rate of 60,000 gallons per day each of municipal sludge, septage grease trap waste or other authorized liquid wastes for a total of 180,000 gallons per day of liquid waste. Other municipal or industrial wastes identified in §332.4(10)(A), (F) and (G) may be accepted at a daily maximum rate of 440 cubic yards. No daily limit is set for composting carbon feedstocks such as paper, cardboard, or clean wood including municipal or industrial wastes identified in §332.4(10)(B) through (E) and (I).

E. Maximum Volume Available for Storage

The total available liquid waste storage capacity of this facility is 144,000 gallons with a maximum storage limit of 72 hours for unprocessed liquid waste materials. The total available storage capacity for combustible materials stored on-site is 20,000 cubic yards based on available financial assurance. The total available surface impoundment storage for contaminated water is 17.96 acre feet based on available financial assurance and maintenance of adequate freeboard.

F. Waste Management Units Authorized

The facility consists of a site entrance with appropriate security fencing, all-weather access roads, surface drainage and storm water run-on and runoff control structures, eight 18,000 gallon liquid waste storage and processing tanks, an approximately 2.2 acre surface impoundment with an approximate capacity of 17.96 acre-feet, and compost processing and feedstock storage areas. The compost processing area is limited to the lined 15.23 acre area noted on the Site Layout Plan in Appendix A of this permit application.

G. Changes, Additions, or Expansions

Any proposed facility changes must be authorized in accordance with TCEQ rules in 30 TAC Chapter 330 (Municipal Solid Waste) and 30 TAC Chapter 305 (Consolidated Permits).

III. Facility Design, Construction, and Operation

A. Facility design, construction, and operation must comply with this permit, Commission Rules, including 30 TAC §§330.59, 330.61, 330.63, 330.65, and Subchapter E, 30 TAC 332 Subchapters A and D, the Special Provisions contained in this permit, and the permit application.

B. For facilities located in the 100-year floodplain, the entire waste management facility shall be designed, constructed, operated, and maintained to prevent the release and migration of any waste, contaminant, or pollutant, and to prevent inundation or discharge from the areas surrounding the facility components. This site must be designed, constructed and maintained to collect spills and incidental precipitation in such a manner as to:

1. preclude the release of any contaminated runoff or spills; and
 2. prevent washout of any waste by a 100-year storm.
- C. The site shall be designed and operated so as not to cause a violation of:
1. the requirements of the Texas Water Code, §26.121;
 2. any requirements of the Federal Clean Water Act, including, but not limited to, the National Pollutant Discharge Elimination System (NPDES) requirements, §402 as amended; and/or the Texas Pollutant Discharge Elimination System (TPDES), as amended;
 3. the requirements under the Federal Clean Water Act, §404, as amended; and
 4. any requirement of an area wide or statewide water quality management plan that has been approved under the Federal Clean Water Act, §208 or §319, as amended.
- D. All facility employees and other persons involved in facility operations shall be qualified, trained, and experienced to perform their duties so as to achieve compliance with this permit. The permittee shall further ensure that personnel are familiar with safety procedures, contingency plans, the requirements of the Commission's rules, and this permit, commensurate with their levels and positions of authority.

IV. Financial Assurance

- A. General. Authorization to operate the facility is contingent upon compliance with provisions contained in this permit and maintenance of financial assurance in accordance with 30 TAC Chapter 330 Subchapter L and 30 TAC Chapter 37.
- B. Closure Financial Assurance. The amount of financial assurance posted for closure shall be provided annually in current dollars in an amount equal to closing the entire facility pursuant to 30 TAC §330.505(a). The owner and/or operator shall annually adjust the closure cost estimate and the dollar amount of the financial assurance for inflation within 60 days prior to the anniversary date of the permit pursuant to 30 TAC §37.8021.
- C. Closure Financial Assurance Amount. Within 60 days after the date of permit issuance or prior to the initial receipt of waste, the permittee shall provide financial assurance instrument(s) for demonstration of closure in an amount equal to but not less than \$301,500 for closure in 2010 dollars. The amount of financial assurance to be posted annually shall be determined as described in Section IV.B. of this permit.
- D. Closure Plan Modifications. If the facility's closure plan is modified, the permittee shall provide new cost estimates in current dollars, which meet the requirements 30 TAC Chapter 37 and 30 TAC §330.505. Modifications shall be made pursuant to 30

TAC §305.70. The amount of the financial assurance mechanism shall be adjusted within 20 days after the modification is approved. Adjustments to the cost estimates and/or financial assurance instrument to comply with any financial assurance regulation that is adopted by the TCEQ subsequent to the issuance of this permit shall be initiated as a modification within 30 days after the effective date of the new regulation.

V. Facility Closure

Closure shall commence:

- A. Upon direction by the Executive Director of the TCEQ for failure to comply with the terms and conditions of this permit or violation of state or federal regulations.

The Executive Director is authorized to issue emergency orders to the permittee in accordance with §5.501 and §5.512 of the Texas Water Code regarding this matter after considering whether an emergency requiring immediate action to protect the public health and safety exists;

- B. Upon abandonment of the site;
- C. Upon direction of the Executive Director for failure to secure and maintain adequate financial assurance as required; or
- D. Upon permittee's notification to the TCEQ that the facility will no longer operate.

VI. Standard Permit Conditions

- A. This permit is based on and the site owner/operator shall follow the permit application submittals dated May 7, 2009, and revised January 25, May 18, August 31, and September 30, 2010. These application submittals are hereby approved subject to the terms of this permit, the rules and regulations, and any orders of the TCEQ. These application materials are incorporated into this permit by reference in Attachment A as if fully set out herein. Any and all revisions to these elements shall become conditions of this permit upon the date of approval by the Commission. The permittee shall maintain the application and all supporting documentation at the facility and make them available for inspection by TCEQ personnel.
- B. Attachment B, consisting of minor amendments, modifications, and corrections to this permit, is hereby made a part of this permit.
- C. The permittee shall comply with all conditions of this permit. Failure to comply with any condition may constitute a violation of the permit, the rules of the Commission, and the Texas Solid Waste Disposal Act and is grounds for an enforcement action, revocation, or suspension.
- D. Inspection and entry onto the site by authorized personnel shall be allowed during the site operating life.

- E. The provisions of this permit are severable. If any permit provision or the application of any permit provision to any circumstance is held invalid, the remainder of this permit shall not be affected.
- F. Regardless of the specific designs contained in the permit application, the permittee shall be required to meet all performance standards in the permit, the application, or as required by local, state, and federal laws.
- G. If differences arise between the rules, regulations, and permit provisions and the incorporated application materials, then the rules, regulations, and permit provisions shall prevail.
- H. The permittee shall comply with the requirements of the air permit exemption in 30 TAC §106.534, if applicable, and the applicable requirements of 30 TAC chapters 106 and 116.

VII. Incorporated Regulatory Requirements

- A. The permittee shall comply with all applicable federal, state, and local regulations and shall obtain any and all other required permits prior to the beginning of any operation authorized by this permit.
- B. To the extent applicable to the activities authorized by this permit, the requirements of 30 TAC Chapters 37, 281, 305, 330 and 332, and future revisions are adopted by reference and are hereby made provisions and conditions of this permit.

VIII. Special Permit Provisions

This permit shall supersede previous authorizations granted to the Permittee for the same location defined by the metes and bounds in Appendix B of this permit application. Upon issuance of this permit, the Executive Director revokes MSW Compost Registration No. 42016, MSW Compost Notification No. 47006, and MSW Liquid Waste 10% Recycling Registration No. 43024 in accordance with 30 TAC §305.67(b).

IX. ATTACHMENT A

The Permit Application.

X. ATTACHMENT B

Minor or Limited Scope Amendments, Modifications, Temporary Authorizations and Corrections to MSW Permit No. 2361.

TECHNICAL SUMMARY

**Micro Dirt, Inc. d.b.a. Texas Organic Recovery
Texas Organic Recovery
Municipal Solid Waste (MSW)
MSW Permit Application Number 2361
Travis County, Texas**

October 2010

Prepared by

**Municipal Solid Waste Permits Section
Waste Permits Division
Texas Commission on Environmental Quality**

1.0 General Information

Applicant: Micro Dirt, Inc. d.b.a. Texas Organic Recovery
15500 Goforth Road, Creedmoor, Texas, 78610

Facility: Texas Organic Recovery
Type V Liquid Waste Processing and Composting Facility

1.1 Purpose of Permit Application

The applicant has applied to the Texas Commission on Environmental Quality (TCEQ) for a permit to operate a liquid waste processing and composting facility which is a Type V municipal solid waste facility in Travis County, Texas. This application was submitted on May 13, 2009, in accordance with Title 30 of the Texas Administrative Code (30 TAC) Section 305.62. The total permitted facility boundary is approximately 30.0 acres with approximately 15.23 acres used for waste processing and composting.

1.2 Wastes

Wastes Authorized to be Accepted:

This facility is authorized to accept municipal solid waste and compost feedstocks which are limited to municipal sludge, septage, grease trap waste, source separated yard and tree trimmings, wood chips, paper, cardboard, clean wood, positively-sorted organic material, source separated organic material, agricultural waste and materials, dead animals, expired food wastes, dairy materials, manure and vegetative food waste including class 2 industrial food preparation waste and non-hazardous industrial solid waste as detailed in §332.4(10).

Wastes Not Authorized to be Accepted:

Any other waste which is prohibited or not authorized may not be accepted. Waste not authorized for acceptance include mixed municipal solid waste as defined in §332.2, grit trap waste, other special wastes as defined in 30 TAC §330.3, painted or treated wood, and portable chemical toilet waste.

2.0 Application Review

This application is under review for compliance with the applicable requirements of 30 TAC Chapters 281, 305, and 330. On July 6, 2006, the application was determined to be administratively complete. The application is currently being

technically reviewed by the Municipal Solid Waste Permits Section to determine its compliance with the applicable requirements in 30 TAC Chapters 305, 330 and 332. Chapters 330 and 332 contain the minimum regulatory criteria for municipal solid waste processing and composting facilities. When it is determined that the information in this permit application demonstrates compliance with these regulatory requirements, a draft permit can be prepared and the application can be declared technically complete. A Notice of Application and Preliminary Decision will be issued when the technical review is completed.

3.0 Location and Size

3.1 Location

The Texas Organic Recovery facility is located in Travis County, at 15500 Goforth Road, in Creedmoor, Texas. The location is illustrated in Attachment 1 (General Location Map) of this Application Summary.

Elevation and Coordinates of Current Permanent Benchmark:

Latitude:	30° 03' 24" N
Longitude:	97° 41' 27" W
Elevation:	700 feet above mean sea level (msl)

3.2 Size

The total area within the permit boundary is approximately 30.0 acres with approximately 15.23 acres used for waste processing and composting. The site layout is illustrated in Attachment 2 (Site Layout Plan) of this Technical Summary.

4.0 Waste Management Units and Operations Authorized

The facility consists of a site entrance with appropriate security fencing, all-weather access roads, surface drainage and storm water run-on and runoff control structures, eight 18,000 gallon liquid waste storage and processing tanks, an approximately 2.2 acre surface impoundment with an approximate capacity of 17.96 acre-feet, and composting, processing, and feedstock storage areas.

5.0 Facility Design and Construction

The construction of this facility will include the addition of a side wall liner around the composting areas, the addition of spill controls and four 18,000 gallon liquid waste processing and storage tanks. The construction of this facility is in addition to existing structures and units authorized under the facilities current MSW Registration.

6.0 Land Use

Land use in the vicinity of the site was evaluated in accordance with 30 TAC §330.61(g).

6.1 Zoning

The Texas Organic Recovery Facility is located in the corporate city limits of the city of Creedmoor and is subject to city zoning ordinances.

6.2 Surrounding Area Land Use

Land use within a one-mile radius of the site is primarily rural pastureland with sparse rural residential areas.

6.3 Growth Trends

The growth trend in the vicinity of this facility is mainly along the I-35 corridor which is approximately eight miles west of the site with some growth in the Creedmoor area.

6.4 Residences and Businesses

There are approximately 94 residences and no businesses within a one-mile radius of the site.

6.5 Schools and Churches

There are no known schools and churches within one mile of the site.

6.6 Cemeteries

There two known cemeteries within one mile of the site.

6.7 Historical Sites

No historical properties will be affected by the site.

7.0 Location Restrictions

Location restrictions for municipal solid waste facilities are set forth in 30 TAC Chapter 330 Subchapter M [30 TAC §§330.541 - 330.563].

7.1 Floodplains

The Texas Organic Recovery facility is located outside of the 100-year floodplain as defined by Federal Emergency Management Agency (FEMA). The facility is considered to be in compliance with 30 TAC §330.547.

7.2 Wetlands

A determination of jurisdictional waters of the United States was performed and no wetlands were identified. There is no proposed development in jurisdictional waters of the United States. Therefore, the facility is considered to be in compliance with 30 TAC §330.553.

8.0 Site Development and Operation

The Site Development Plan (SDP) is Part III of the permit application and sets forth the engineering design and other technical aspects of the facility. The Site Operating Plan (SOP) is Part IV of the permit application. The SOP provides operating procedures for the site management and the site operating personnel for the daily operation of the facility. The SOP also provides guidance to maintain the facility in compliance with the engineering design and applicable regulatory requirements. These documents become part of the permit.

9.0 Protection of Endangered Species

Based on correspondence from the Texas Parks and Wildlife Department (TPWD), the Wildlife Habitat Assessment Program does not anticipate significant adverse impacts to fish or wildlife resources. Therefore, the facility is considered in compliance with 30 TAC §330.551 and §330.61(n) which states, in part, that the facility shall not result in the destruction or adverse modification of critical habitat of endangered or threatened species, or cause or contribute to the taking of any endangered or threatened species.

10.0 Financial Assurance

Financial assurance must be maintained for the facility in accordance with 30 TAC Chapter 37 (Financial Assurance) and 30 TAC Chapter 330 Subchapter K for closure and post-closure care.

11.0 Attachments

Two attachments from the permit application are included with this technical summary. These attachments are as follows:

- Attachment 1 - General Location Map
- Attachment 2 - Site Layout Plan

12.0 Public Participation Process

The process through which the public is allowed to participate in the final decision on the issuance of a municipal solid waste permit is outlined as follows.

- a. The TCEQ will hold a public meeting if the Executive Director determines that there is substantial public interest in the application or if requested by a local legislator. During this meeting the Commission accepts formal comments on the application. There is also an informal question and answer period.
- b. After technical review of the application is completed, the application is declared technically complete and a draft permit is prepared. The draft permit, the public notice language, and the technical summary are sent to the Chief Clerk's office for processing.
- c. The "Notice of Application and Preliminary Decision" is sent to the applicant and published in the newspaper. This notice provides a 30-day period from the date of publication for the public to make comments about the application or draft permit. The notice also allows the public to request a public meeting for the proposed facility.
- d. After the 30-day comment period has ended, a "Response to Comments" (RTC) is prepared for all comments received through the mail and at a public meeting. The RTC is sent to all persons who commented on the application. Persons who receive the comments have a 30-day period after the RTC is mailed in which to request a public hearing.

- e. After the 30-day period to request a hearing is complete, the matter is placed on an agenda meeting for the TCEQ Commissioners to make a determination to grant any of the hearing requests and refer the matter to the State Office of Administrative Hearings for a public hearing.
- f. A public hearing is a formal process in front of an Administrative Law Judge (ALJ) who conducts the hearing. The applicant and protestant(s) present witnesses and testimony to support or dispute information contained in the application. When the evidentiary portion of the hearing is completed, the ALJ will issue a Proposal for Decision (PFD). The PFD is placed on an agenda meeting of the TCEQ Commissioners for consideration of issuance or denial of a permit.
- g. After the approval or denial of an application has been made, a request to overturn the decision may be made by a party that does not agree with the decision. The request to overturn must be made within a 20-day period after the decision is sent to the applicant. These requests are considered within a 25-day period after the end of the 20-day request period. The matter could be set on another agenda meeting for reconsideration, or allowed to remain in effect without any action after the 25-day period is complete.
- h. Applications for which no comments are received or no one requests a public hearing are considered uncontested matters after the initial 30-day comment period. The matter is placed on the Executive Director's signature docket and a permit is issued. The motion to overturn or reconsider is also applicable in this situation.

13.0 Additional Information

For information regarding this application, contact the Municipal Solid Waste Permits Section:

Mr. Eric Beller, P.G., Work Leader
MSW Permits Section (MC-124)
Waste Permits Division
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711
(512) 239-1177

To request a copy of the Site Development Plan, contact the consulting engineer:

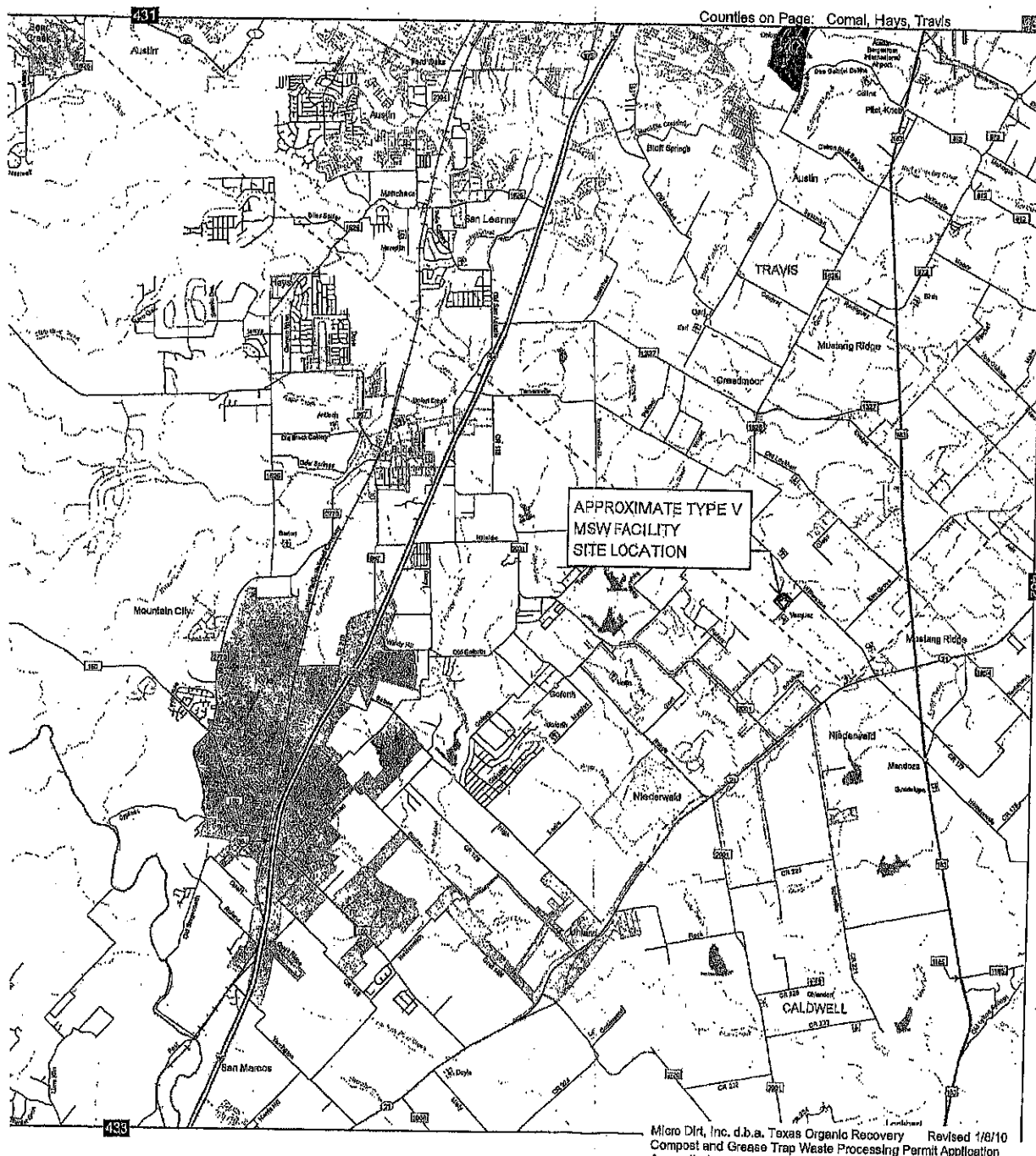
Mr. Robert H. Thonhoff, Jr., P.E.
Thonhoff Consulting Engineers, Inc.
1301 Capital of Texas Highway South, Suite A-236
(512) 328-6736

For information concerning public participation in the public hearing process, contact the TCEQ's Office of the Public Interest Counsel:

Office of Public Interest Counsel (MC-103)
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087
(512) 239-6363

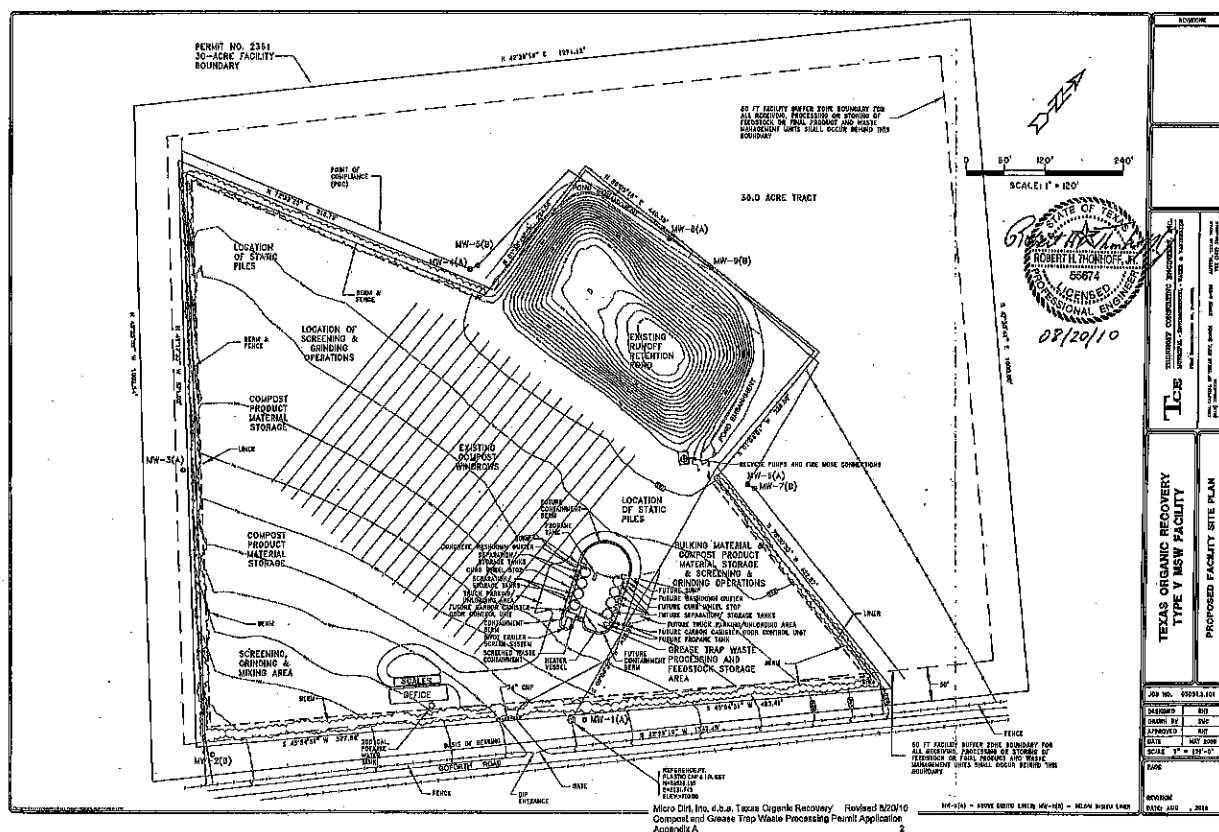
For information concerning public hearing procedures for municipal solid waste permits, contact Mr. Bill Newchurch, Director, at:

State Office of Administrative Hearings
Natural Resource Division
300 W. 15th Street, Room 504
Austin, TX 78701
(512) 475-3445



Attachment 2

Site Layout Plan



Compliance History

Customer/Respondent/Owner-Operator:	CN602441610 Micro Dirt, Inc.	Classification: AVERAGE	Rating: 3.01															
Regulated Entity:	RN101287548 TEXAS ORGANIC RECOVERY	Classification: AVERAGE BY DEFAULT	Site Rating: 3.01															
ID Number(s):	<table border="0" style="width: 100%;"> <tr> <td style="width: 50%;">MUNICIPAL SOLID WASTE PROCESSING</td> <td style="width: 50%;">REGISTRATION</td> <td style="width: 50%;">47006</td> </tr> <tr> <td>SLUDGE</td> <td>REGISTRATION</td> <td>22825</td> </tr> <tr> <td>MUNICIPAL SOLID WASTE DISPOSAL</td> <td>PERMIT</td> <td>43024</td> </tr> <tr> <td>MUNICIPAL SOLID WASTE DISPOSAL</td> <td>PERMIT</td> <td>2361</td> </tr> <tr> <td>MUNICIPAL SOLID WASTE DISPOSAL</td> <td>PERMIT</td> <td>2360</td> </tr> </table>			MUNICIPAL SOLID WASTE PROCESSING	REGISTRATION	47006	SLUDGE	REGISTRATION	22825	MUNICIPAL SOLID WASTE DISPOSAL	PERMIT	43024	MUNICIPAL SOLID WASTE DISPOSAL	PERMIT	2361	MUNICIPAL SOLID WASTE DISPOSAL	PERMIT	2360
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MUNICIPAL SOLID WASTE DISPOSAL	PERMIT	2361																
MUNICIPAL SOLID WASTE DISPOSAL	PERMIT	2360																
Location:	15500 GOFORTH RD, CREEDMOOR, TX, 78610																	
TCEQ Region:	REGION 11 - AUSTIN																	
Date Compliance History Prepared:	July 15, 2011																	
Agency Decision Requiring Compliance History:	Permit - Issuance, renewal, amendment, modification, denial, suspension, or revocation of a permit.																	
Compliance Period:	July 15, 2006 to July 15, 2011																	
TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History																		
Name:	BOBBIE ROGANS	Phone:	239 - 6197															

Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period? Yes
2. Has there been a (known) change in ownership/operator of the site during the compliance period? No
3. If Yes, who is the current owner/operator? N/A
4. If Yes, who was/were the prior owner(s)/operator(s)? N/A
5. When did the change(s) in owner or operator occur? N/A
6. Rating Date: 9/1/2010 Repeat Violator: NO

Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgments, and consent decrees of the State of Texas and the federal government.
N/A
- B. Any criminal convictions of the state of Texas and the federal government.
N/A
- C. Chronic excessive emissions events.
N/A
- D. The approval dates of investigations. (CCEDS Inv. Track. No.)
N/A
- E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)
N/A
- F. Environmental audits.
N/A
- G. Type of environmental management systems (EMSs).
- H. Voluntary on-site compliance assessment dates.
N/A
- I. Participation in a voluntary pollution reduction program.
N/A
- J. Early compliance.
N/A